

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Hu *et al.*

Serial No.: 10/041,770

Filed: 1/8/2002

For: Novel Human Protease and Polynucleotides
Encoding the Same



Group Art Unit: 1652

Examiner: S. Swope

Atty Docket No.: LEX-0294-USA

#11
M.Q.J
7/21/03

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

RECEIVED

JUL 18 2003

TECH CENTER 1600/29C

Mail Stop AF
Assistant Commissioner for Patents
Alexandria, VA 22313

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed February 5, 2003 ("Final Action"), finally rejecting claims 1-6. The fee as required under 37 C.F.R. § 1.17(b) for filing this Notice of Appeal is \$160.00, and the Commissioner is hereby authorized to deduct this fee from Applicants' Representatives' Deposit Account No. 50-0892.

A Petition for an Extension of Time of two months to and including July 5, 2003, which falls on a Saturday and is therefore extended until Monday, July 7, 2003 under 37 C.F.R. § 1.7, and authorization to deduct the fee as required under 37 C.F.R. § 1.17(a)(2) from Applicants' representatives Deposit Account were filed in the concurrently submitted response to the Final Office Action in this case. The Notice is thus timely filed, and Applicants believe no fees in addition to the fees for filing the Notice of Appeal and the extension fee authorized in the response to the Final Office Action are due in connection with this communication. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason related to this communication, the Commissioner is authorized to consider this document a petition, and charge any underpayment or credit any overpayment to Applicants' Representatives' Deposit Account No. 50-0892.

Respectfully submitted,

David W. Hibler

David W. Hibler
Agent For Applicants

Reg. No. 41,071

July 7, 2003

Date

07/16/2003 HDMESS1 00000054 500892 10041770

01 FC:2401

160.00 DA

LEXICON GENETICS INCORPORATED
8800 Technology Forest Place
The Woodlands, TX 77381
(281) 863-3399



24231

PATENT TRADEMARK OFFICE